

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

CRYOVAC, INC.,	)	
	)	
Plaintiff/Counter-Defendant.	)	Civil Action No. 04-1278
	)	
vs.	)	Hon. Kent. A. Jordan
	)	
PECHINEY PLASTIC PACKAGING, INC.	)	
	)	
Defendant/Counter-Plaintiff.	)	
	)	

**NOTICE OF RULE 30(b)(6) DEPOSITION OF**  
**PECHINEY PLASTIC PACKAGING INC. (No. 2)**

PLEASE TAKE NOTICE that, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, plaintiff/counter-defendant Cryovac, Inc. ("Cryovac") will take the deposition of defendant/counter-plaintiff Pechiney Plastic Packaging, Inc. ("Pechiney") upon oral examination of the witness(es) designated by Pechiney as the person(s) most competent to testify on its behalf concerning the categories listed on attached Schedule A. The deposition shall be recorded by videotape and stenographic means and shall take place at the offices of Sidley Austin Brown & Wood LLP, located at Bank One Plaza, 10 South Dearborn Street, Chicago, Illinois, beginning at 9:00 a.m. on August 2, 2005, or at such other place and time as may be agreed to by the parties.

In accordance with Rule 30(b)(6), Cryovac requests that Pechiney prepare its designee(s) to testify “as to matters known or reasonably available to” Pechiney regarding the subjects listed on attached Schedule A. Cryovac also requests that Pechiney provide Cryovac with written notice of at least five (5) business days before the deposition of the name and employment position of each person designated to testify on Pechiney’s behalf, identifying the matters set forth in Schedule A as to which each person will testify.

The deposition, before a Notary Public or other person authorized by law to administer oaths, will continue from day to day until completed with such adjournments as to time and place as may be necessary. You are invited to attend and to cross-examine the witness.

Respectfully submitted,

Dated: July 19, 2005



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John W. Shaw (No. 3362)  
Karen E. Keller (No. 4489)  
Michele Sherretta (No. 4651)  
YOUNG CONAWAY STARGATT &  
TAYLOR, LLP  
The Brandywine Building, 17th Floor  
1000 West Street  
Wilmington, Delaware 19801  
(302) 571-6600

Of counsel:  
Ford F. Farabow, Jr.  
Joann M. Neth  
Mark J. Feldstein  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.  
901 New York Avenue, N.W.  
Washington, D.C. 20001-4413  
(202) 408-4000

Attorneys for Plaintiff Cryovac, Inc.

**SCHEDULE A**

For each document in PPPI 003574-80, PPPI 003463-68, PPPI 003369-73, PPPI 008372-79, PPPI 003545-51, PPPI 003469-73, PPPI 003364-68, PPPI 008319-25, PPPI 003581-87, PPPI 003474-79, PPPI 003358-63, PPPI 003480-84, PPPI 003353-57, PPPI 008326-32, PPPI 003588-94, PPPI 003485-90, PPPI 003348-52, PPPI 003491-95, PPPI 003343-47, PPPI 003536-39, PPPI 003532-35, PPPI 003388-91, PPPI 003528-31, PPPI 003384-87, PPPI 003524-27, PPPI 003379-82, PPPI 003520-23, PPPI 003374-77, PPPI 003516-19, PPPI 003392-95, PPPI 003496-500, PPPI 003501-05, PPPI 003506-10, PPPI 003511-15, PPPI 008351-54, PPPI 008296-99, and PPPI 010619 - 956 produced by Pechiney:

- (a) the authenticity of the document;
- (b) the identity of the author of the document;
- (c) the relationship between the author of the document and Pechiney;
- (d) if the author of the document is or was an agent or employee of Pechiney, the scope and duration of the agency or employment relationship and whether the statements in the document concerned a matter within the scope of that agency or employment relationship;
- (e) whether the document was made at or near the time of the acts, events or opinions recorded therein by, or from information transmitted by, a person with knowledge thereof;
- (f) whether the document was kept in the course of a regularly conducted business activity of Pechiney;
- (g) whether it was the regular practice of Pechiney to make the document;
- (h) the date(s) when in force or active;
- (i) the date(s) when deactivated or superceded, and the document that deactivated or superceded it;
- (j) explanation of all codes in the document;
- (k) explanation of all components, resins, chemicals, and compounds identified in the document;

- (l) the processes and process conditions used to prepare products according to the document;
- (m) each preparation of a product according to or within the scope of the document, including the date(s) of the preparation, method(s) of preparation, persons and parties involved with the preparation, and location of the preparation;
- (n) each use of any product prepared according to or within the scope of the document, including the date(s) of use, persons and parties involved with the use, location of use, manner of use, and results or analysis of such use;
- (o) each sale of any product prepared according to or within the scope of the document, including date of sale, persons and parties involved with the sale, location of sale, number of products sold, sale price of products sold; and
- (p) each offer for sale of any prepared according to or within the scope of the document, including date(s) of offer, persons and parties involved with the offer, nature of offer, number of products offered, and price of products offered.

**CERTIFICATE OF SERVICE**

I hereby certify that on July 19, 2005, I caused to be electronically filed, a true and correct copy of the foregoing document with the Clerk of Court using CM/ECF, which will send notification that such document is available for viewing and downloading to the following counsel of record:

N. Richard Powers, Esq.  
CONNOLLY BOVE LODGE  
& HUTZ LLP  
The Nemours Building  
1007 North Orange Street  
P.O. Box 2207  
Wilmington, DE 19899-2207

I further certify that on July 19, 2005, I caused a copy of the foregoing document to be served by hand delivery to the above-listed counsel of record, and on the following non-registered participants in the manner indicated:

**VIA FEDERAL EXPRESS**

Steven R. Trybus, Esq.  
JENNER & BLOCK LLP  
One IBM Plaza  
Chicago, IL 60611-7603

By: Michele Sherretta  
Michele Sherretta (No. 4651)  
YOUNG CONAWAY STARGATT &  
TAYLOR, LLP  
The Brandywine Building, 17th Floor  
1000 West Street  
Wilmington, Delaware 19801  
(302) 571-6600